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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SANDRA STEIN,

Plaintiff,

vs.

KAISER PERMANENTE FLEXIBLE  
BENEFITS PLAN and METROPOLITAN  
LIFE INSURANCE COMPANY,

Defendants.

Case No.: C 05-2566 CW

**STIPULATION AND ORDER TO  
EXTEND CONDITIONAL ORDER OF  
DISMISSAL**

ALL PARTIES AND THEIR COUNSEL OF RECORD HEREBY STIPULATE AND  
APPLY TO THE COURT FOR AN ORDER AS FOLLOWS:

The parties have agreed to fully settle this matter. The Court, by order dated March 23, 2006 conditionally dismissed the cause with the proviso that if the agreed consideration had not been turned over by June 21, 2006, the matter would be restored to the calendar to be set for trial. To date, the parties have not exchanged the agreed upon consideration, due to technical difficulties. The parties anticipate concluding the exchange within the next thirty days. The parties thus apply to the Court for an order that the conditional dismissal be extended to July 21, 2006.

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2 Dated:

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6  
7 By: /s/ Michael A. S. Newman

8 Michael A. S. Newman  
9 Attorneys for Defendant  
10 METROPOLITAN LIFE INSURANCE  
11 COMPANY and KAISER  
12 PERMANENTE FLEXIBLE BENEFITS  
13 PLAN

14 Dated:

15  
16 By: /s/ Steven M. Chabre

17 STEVEN M. CHABRE  
18 Attorneys for Plaintiff  
19 SANDRA STEIN  
20  
21  
22

23 **ORDER**

24 PURSUANT TO STIPULATION and good cause appearing therefor, IT IS HEREBY  
25 ORDERED THAT:

26 The conditional order of dismissal in this matter will be extended to July 21, 2006. If any  
27 party shall certify to this Court by July 21, 2006 that the agreed consideration for settlement has  
28

1 not been delivered over, the dismissal shall stand vacated and this cause shall forthwith be  
2 restored to the calendar to be set for trial.

3  
4 7/7/06

/s/ CLAUDIA WILKEN

5 Dated: \_\_\_\_\_

6 By: \_\_\_\_\_  
U.S. DISTRICT COURT JUDGE